

REMARKS

I. Introduction

With the addition of claims 25 and 26, claims 5, 6, 9, 10, 14, 15, 21, 22, 25 and 26 are pending in the present application. In view of the foregoing amendments and the following remarks, it is respectfully submitted that all of the presently pending claims are allowable, and reconsideration is respectfully requested.

Applicants note with appreciation the indication that claims 9, 10, 21 and 22 are allowed.

II. Rejection of Claims 5, 6, 14 and 17 Under 35 U.S.C. § 102(b) - Soviet Union Patent No. SU 537-926

Claims 5, 6, 14 and 17 were rejected under 35 U.S.C. § 102(b) as anticipated by Soviet Union Patent No. SU 537-926. Applicants respectfully submit that the present claims, as amended, are patentable over SU 537-926 for the following reasons.

Claim 5 relates to an apparatus for gripping and releasing at least one item. Claim 5 recites that the apparatus includes a pickup head, at least one gripping plate, a restraining device corresponding to each gripping plate, an actuation device and at least one biasing element. Claim 5 recites that the restraining device is configured to connect the corresponding gripping plate to the pickup head so that the gripping plate is movable relative to the pickup head between an open position and a closed position and so that the gripping plate is movable relative to the pickup head in at least one degree of freedom when the gripping plate is in the open position and in the closed position. Claim 5 further recites that the actuation device is configured to move the at least one gripping plate between the open position and the closed position. Claim 5 further recites that the at least one biasing element corresponds to each gripping plate.

Claim 14 relates to an apparatus for gripping and releasing at least one item. Claim 14 recites that the apparatus includes a pickup head, at least one gripping plate, a restraining device corresponding to each gripping plate, an actuation device and at least one biasing element. Claim 14 further recites that the restraining device is configured to connect the corresponding gripping plate to the pickup head so that the gripping plate is movable relative to the pickup head between an open position and a closed position, an end of the gripping plate being

displaced inwardly by the restraining device when the gripping plate moved from the open position to the closed position. Claim 14 further recites that the restraining device is configured to permit the gripping plate to be movable relative to the pickup head in at least one degree of freedom when the gripping plate is being moved from the closed position to the open position. Claim 14 further recites that the actuation device is configured to move the at least one gripping plate between the open position and the closed position. Claim 14 further recites that the at least one biasing element corresponds to each gripping plate.

Each of claims 5 and 14 has been amended herein without prejudice to recite that the at least one biasing element urges the corresponding gripping plate toward the open position. Support for this amendment may be found, for example, in the Specification at p. 7, line 24 to p. 8, line 1.

SU 537-926 purportedly relates to a hoist grab for semiplastic cellular concrete having clamp plates singly hinged to levers and elastic strip which adapts to block surfaces. The Office Action alleges that spring 6 of SU 537-926 constitutes a biasing element as recited in claims 5 and 14. Applicants respectfully submit that spring 6 does not constitute a biasing element within the context of the present claims because spring 6 does not urge board clamps 4, which allegedly constitute gripping plates, toward an open position. The English-language abstract of SU 537-926 states that spring 6 is used to regulate the force applied by the board clamps 4 to the block over the height of the block. As can be seen in Figure 1, spring 6 maintains an upper portion of clamps 4 against the block, and thus, in the closed position. Therefore, SU 537-926 does not disclose, or even suggest, all of the limitation of amended claims 5 and 14.

To anticipate a claim, each and every element as set forth in the claim must be found in a single prior art reference. *Verdegaal Bros. v. Union Oil Co. of Calif.*, 814 F.2d 628, 631, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987). Furthermore, “[t]he identical invention must be shown in as complete detail as is contained in the . . . claim.” *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989). That is, the prior art must describe the elements arranged as required by the claims. *In re Bond*, 910 F.2d 831, 15 U.S.P.Q.2d 1566 (Fed. Cir. 1990). As more fully set forth above, it is respectfully submitted that SU 537-926 does not disclose, or even suggest, all of the limitations of claims 5 and 14.

Therefore, it is respectfully submitted that SU 537-926 does not anticipate claims 5 and 14.

As for claim 6, which depends from claim 5 and therefore includes all of the limitations of claim 5, Applicants respectfully submit that dependent claim 6 is patentable over SU 537-926 for at least the same reasons submitted above in support of claim 5.

As for claim 15, which depends from claim 14 and therefore includes all of the limitations of claim 14, Applicants respectfully submit that dependent claim 15 is patentable over SU 537-926 for at least the same reasons submitted above in support of claim 14.

Therefore, for all the foregoing reasons, withdrawal of this rejection is respectfully requested.

III. Rejection of Claims 5, 6, 14 and 17 Under 35 U.S.C. § 102(b) - Canadian Patent No. CA 197,808

Claims 5, 6, 14 and 17 were rejected under 35 U.S.C. § 102(b) as anticipated by Canadian Patent No. CA 197,808. Applicants respectfully submit that the present claims, as amended, are patentable over CA 197,808 for the following reasons.

As detailed above, claims 5 and 14 have been amended herein without prejudice to recite that the at least one biasing element urges the corresponding gripping plate toward the open position. CA 197,808 purportedly relates to a grapple accumulator for tree trunks. The Office Action alleges that the spring 70 of CA 197,808 constitute a biasing element as recited in claims 5 and 14. Applicants respectfully submit that spring 70 does not constitute a biasing element within the context of the present claims because spring 70 does not urge face plate 49, which allegedly constitutes a gripping plate, toward an open position. Rather, CA 197,808 states that lever arms 42 are interconnected by tension coil spring 70, which resiliently urges the free end of the lever arms in a direction toward one another, i.e., toward a **closed** position. See p. 5, lines 13 to 15. Therefore, CA 197,808 does not anticipate amended claims 5 and 14.

As for claim 6, which depends from claim 5 and therefore includes all of the limitations of claim 5, Applicants respectfully submit that dependent claim 6 is patentable over CA 197,808 for at least the same reasons submitted above in support of claim 5.

As for claim 15, which depends from claim 14 and therefore includes all of the limitations of claim 14, Applicants respectfully submit that dependent claim 15 is patentable over CA 197,808 for at least the same reasons submitted above in support of claim 14.

Therefore, for all the foregoing reasons, withdrawal of this rejection is respectfully requested.

**IV. Rejection of Claims 5, 6, 14 and 17 Under
35 U.S.C. § 102(b) - U.S. Patent No. 3,614,151**

Claims 5, 6, 14 and 17 were rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 3,614,151 ("Shadle"). Applicants respectfully submit that the present claims, as amended, are patentable over Shadle for the following reasons.

As detailed above, claims 5 and 14 have been amended to recite that the at least one biasing element urges the corresponding gripping plate toward the open position. Shadle purportedly relates to gripping elements for a carbon anode stacker. The Office Action alleges that the spring 67 of Shadle constitutes a biasing element as recited in claims 5 and 14. Applicants respectfully submit that spring 67 does not constitute a biasing element within the context of the present claims because spring 67 does not urge gripping plate 32 toward an open position. To the contrary, Shadle state that spring 67 provides a spring force on arm 27. See col. 3, lines 17 to 19. As can be seen in the Figures, a force towards the top of arm 27 forces plate 32 against the gripped item, i.e., toward a **closed** position. Therefore, Shadle does not anticipate claims 5 and 14, as amended.

As for claim 6, which depends from claim 5 and therefore includes all of the limitations of claim 5, Applicants respectfully submit that dependent claim 6 is patentable over Shadle for at least the same reasons submitted above in support of claim 5.

As for claim 15, which depends from claim 14 and therefore includes all of the limitations of claim 14, Applicants respectfully submit that dependent claim 15 is patentable over Shadle for at least the same reasons submitted above in support of claim 14.

Therefore, for all the foregoing reasons, withdrawal of this rejection is respectfully requested.

V. New Claims 25 and 26

New claims 25 and 26 have been added herein. It is respectfully submitted that claims 25 and 26 add no new matter and are fully supported by the present application, including the Specification. Since claim 25 depends from claim 5 and claim 26 depends from claim 14, Applicants respectfully submit that claims 25 and 26 are patentable over the references relied upon for at least the same reasons submitted above in support of the patentability of claims 5 and 14.

VI. Conclusion

It is therefore respectfully submitted that all of the presently pending claims are allowable. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

Respectfully submitted,

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